

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants – Health Medical & Family Welfare Department – Dr. E. Vasantha Murthy, Assistant Professor of Ophthalmology, Regional Eye Hospital, Kurnool – Trapped on 02.07.1999 – Convicted – Dismissed from service – Criminal Appeal allowed by the High Court – Further action dropped – Release of pensionary benefits – Orders – Issued.

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HEALTH, MEDICAL & FAMILY WELFARE (VC-1) DEPARTMENT

G.O. Ms. No. 296

Dated:21-10-2010

Read the following:-

- 1) From the Director General, Anti-Corruption Bureau, A.P., Letter No. 9/ACB/RPC (S)/2002, dated 08.08.2000.
- 2) G.O. Ms. No. 273, Health Medical & Family Welfare (A2) Department, dated 08.08.2000.
- 3) Judgment of the Hon'ble Additional Special Judge for SPE & ACB Cases, Hyderabad, in C.C. No. 23/2000, dated 04.07.2003.
- 4) G.O. Ms. No. 128, Health Medical & Family Welfare (VC.I) Department, dated 19.04.2004.
- 5) Orders of the Hon'ble High Court of A.P., dated 26.02.2010 in Criminal Appeal No. 653 of 2003 filed by Dr. E. Vasantha Murthy.
- 6) Representation of Dr. E. Vasantha Murthy, dated 12.07.2010.
- 7) From the Director General, Anti-Corruption Bureau, A.P., Letter No. 122/RCT-KUR/1999, dated 17.07.2010.

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ORDER:

Dr. E. Vasantha Murthy, Assistant Professor, Kurnool Medical College, Regional Eye Hospital, Kurnool was trapped by the Anti Corruption Bureau. authorities on 02.07.1999, when he demanded and accepted the illegal gratification of Rs. 500/- from Smt. Vadde Seshamma, wife of Seshanna, for having conducted eye operation on her husband. Based on the recommendations of the Director General, Anti Corruption Bureau, in the G.O. second read above, Government have accorded sanction for prosecution of the Accused Officer in a court of Law for the offences punishable under section 7 and section 13 (2) read with section 13 (1)(d) of the Prevention of Corruption Act, 1988. In the reference third read above, the Hon'ble Additional Special Judge for SPE & ACB cases, Hyderabad pronounced judgment on 04.07.2003 in C.C. No. 23 of 2000. The Accused Officer was found guilty of the offences under section 7 and section 13 of the P.C. Act, he was convicted and sentenced by the Trial Court. Therefore, in the G.O. fourth read above, Dr. E. Vasantha Murthy, Assistant Professor, Kurnool Medical College was dismissed from service.

2. Dr. E. Vasantha Murthy has filed Criminal Appeal No. 653 of 2003 in the High Court of A.P. against the judgment of Trial Court. In the reference fifth read above, the Hon'ble High Court allowed the Criminal Appeal No. 653 of 2003 filed by Dr. E. Vasantha Murthy and set aside the judgment of the Trial Court in C.C. No. 23 of 2000, dated 04.07.2003. In the meanwhile, Dr. E. Vasantha Murthy, Assistant Professor (dismissed) attained the age of superannuation on 31.3.2006 A.N. In his representation sixth read above, Dr. E. Vasantha Murthy, Asst. Professor has requested to release pensionary benefits to him. In the reference seventh read above, the Director General, Anti-Corruption Bureau has stated that the Bureau is of the opinion that there are no grounds to prefer an appeal against the orders of High Court and requested to communicate the decision / orders of the Government in the matter.

3. Government, having examined the orders of High Court and opinion of the Director General, Anti-Corruption Bureau thereon, decided to implement the orders of Hon'ble High Court in Criminal Appeal No. 653 of 2003, dated 26.02.2010. Accordingly, Government hereby set aside the orders issued in the G.O. fourth read above and drop further action against Dr. E. Vasantha Murthy, Assistant Professor, Kurnool Medical College, Regional Eye Hospital, Kurnool. Consequently, under sub-rule (4) of rule 8 of the A.P. Civil Services (CC&A) Rules, 1991, Dr. E. Vasantha Murthy, Assistant Professor shall deemed to be under suspension from the date of dismissal from service to the date on which he attained the age of superannuation and he is sanctioned subsistence allowance as per Rule 53 of the Fundamental Rules for the suspension period. Government further order that under rule 54-(A) of the Fundamental Rules, entire period of suspension of Dr. E. Vasantha Murthy, Assistant Professor shall be treated as "not duty" and the pay and allowances for the suspension period shall be limited to the subsistence allowance paid to him. The pensionary benefits shall be released to Dr. E. Vasantha Murthy, Assistant Professor, forthwith.

4. The Director of Medical Education, A.P. shall take further action in the matter and report compliance to Government.

5. This order does not require the concurrence of Finance Department as per rules or orders on the subject.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J.SATYANARAYANA  
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To

Dr. E. Vasantha Murthy,  
C/o V. Srinivasulu Reddy, Advocate,  
H.No. A-4-544/74/44,  
Sanjay Nagar, Erragadda,  
HYDERABAD.

The Director of Medical Education, A.P., Hyderabad.

Copy to:

The Director General, Anti Corruption Bureau, Hyderabad.

The Accountant General, A.P., Hyderabad.

The Secretary to Vigilance Commissioner,  
A.P.Vigilance Commission, Secretariat.

SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER